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Spotlight: 5-Year RMP Updates in Full Swing

Work on the 5-year RMP updates due on June 21, 2009 is progressing well and on schedule. **Dustin Warden** manages the RMP Program for the Asmark Institute. Dustin reports the updates have been shipped to facility management for review via UPS. Each facility should receive a draft copy of their RMP to review and proof by the end of the first week of June. An original signature will be required for submittal to the RMP Reporting Center. The Asmark Institute will submit all RMPs to arrive to the RMP Reporting Center prior to the June 21, 2009 deadline. As always, we will document EPA's receipt of your RMP and keep the documentation on file. Please forward any correspondence you receive from U.S. EPA to Dustin. It will be important to watch for your RMP Update, open it and follow the instructions.

Environmental Respect Award State & Regional Winners

The Environmental Respect Awards (ERA) are the agricultural industry's highest recognition for environmental stewardship among U.S. agricultural retailers, those serving growers and ranchers with the nutrients, pest control, and agronomic information critical to effective crop production. A panel of industry experts gather each year to recognize achievement in environmental stewardship, professional excellence, and community involvement. These state winners have been chosen based on evidence of excellence in site design, inplant storage and handling procedures, emergency preparedness and response, proper application, and leadership in safety and stewardship among customers and employees. We congratulate the following State winners for stepping up and showing their environmental respect. The National winner will be announced in July in a ceremony in Washington, DC. Members of the Asmark Institute are denoted in **red**.

Crop Production Services, Vernalis, CA

Centennial Ag Supply, Greeley, CO
Pro Source One, Boynton Beach, FL
The McGregor Company, Nezperce, ID
Wabash Valley Service Co., Browns, IL

Crop Production Services, Rushville, IN

Tyree Ag Inc., Kinsley, KS

Crop Production Services, Clay, KY

Northeast Rural Service, Vinita, OK

Crop Production Services, Ubly, MI

Bird Island Soil Service, Bird Island, MN
Central Valley Ag Cooperative, Monroe, NE

Crop Production Services, Albertson, NC

Dakota Agronomy Partners, Minot, ND

Crop Production Services, Findlay, OH

Simplot Grower Solutions, Umatilla, OR
Eastern Farmers Coop, Worthing, SD

Crop Production Services, Bells, TN

Premier Ag, LLC, Dalhart, TX
Crop Production Services, Ivor, VA
United Cooperative, Pickett, WI

Each state winner will receive the distinctive ERA personalized crystal sculpture, a statewide press campaign geared toward select print and broadcast media, and a public relations kit. The winning agribusinesses also competed for regional Environmental Respect Awards. We congratulate the following Regional winners just announced. Members of the Asmark Institute are denoted in **red**.

Crop Production Services, Albertain, NC

The McGregor Company, Nezperce, ID
Northeast Rural Service, Vinita, OK

Crop Production Services, Clay, KY

Premier Ag, LLC, Dalhart, TX
Wabash Valley Service Co., Browns, IL

National Safety School 2009 - Registration Opens!

The National Agronomic Environmental Health and Safety School will be held in Bloomington, IL this year on August 18 & 19. There is a renewed spirit and level of energy in the Safety School and we encourage everyone to register and participate in this quality program. An outstanding lineup of topics and speakers for 2009 has been secured. The Safety School program will benefit you and your staff! We ask that you seriously consider attending this year to see for yourself. The 2009 agenda will be posted soon and can be viewed by visiting www.naehss.org.

Surprise Inspections on Nurse Tanks Continues...

The Michigan Agri-Business Association reported on May 27 that the Michigan State Police Motor Carrier and USDOT inspectors launched a number of surprise inspections at anhydrous ammonia retailers on nurse tanks and applicators. Michigan joins the growing list of states where inspectors are specifically inspecting anhydrous ammonia nurse tanks for the presence of ASME data plates, welding issues and tank markings. If you own or operate nurse tanks used to transport anhydrous ammonia, you should review the attached Nurse Tank Safety Advisory. If your nurse tanks have missing or illegible ASME data plates, you should seriously consider taking immediate action. Please review the Nurse Tank Safety Advisory to notify the ag industry of serious safety problems and noncompliance issues regarding the maintenance, filling, transport and use of nurse tanks in anhydrous ammonia service. Click [here](#) to review DOT's Advisory.

Heads Up: AASA 2009 Inspection Cycle

The American Agronomic Stewardship Alliance (AASA) inspectors will return to Connecticut, Delaware, Florida, Georgia, Illinois, Kentucky, Massachusetts, Maryland, Maine, Minnesota, Missouri, North Carolina, New Hampshire, New Jersey, Pennsylvania, South Carolina, Virginia, Vermont, Wisconsin and West Virginia this year to conduct inspections of the bulk pesticide facilities. Facilities in these states were the first to be inspected in 2006. Retailers that handle bulk will receive a letter making them aware of the program and giving them advance notice that someone will be calling them to set up a time to conduct an inspection. AASA has contracted with inspectors from RCI/Farm Chem, Piedmont Environmental Consultants Inc., and JTAG Inc. to perform the 2009 inspections. **Jean Payne** and **Kevin Runkle** with the Illinois Fertilizer and Chemical Association administer the program.

The goal of the AASA program is to enhance stewardship, present retailers with clear and consistent storage and handling guidelines and provide manufacturers with a one-stop source of retail inspection data. There is no cost to the retailer to participate in this voluntary program. AASA inspection data will be maintained as confidential business information and will be available only to crop protection manufacturers and distributors that plan to store products at your facility.

The American Agronomic Stewardship Alliance provides a platform for constantly renewing our industry's stewardship commitment to employees, customers and communities. Please go to www.aginspect.org to

view the inspection checklist that AASA inspectors will be using this year. There are also several documents that outline the expectations of USEPA regarding the handling and storage of bulk pesticides and pesticides in portable refillable containers. One document is a very good information piece regarding the USEPA regulations for portable refillable containers (minibulks). These elements go into effect in August 2011, but it's not too early to start getting in compliance. AASA will be posting a document on load-out pads and containment requirements as well in the very near future.

Time to Deplete Inventories of Furadan (Carbofuran)

US EPA announced on May 11, 2009 that they were revoking all food tolerances for the popular insecticide carbofuran, which is commonly sold under the brand name Furadan. The revocation is effective December 31, 2009, but US EPA is not cancelling the actual labels until 2010. In taking this action, US EPA is effectively stopping future legal use of the product after December 31, 2009, since there would be no way to apply the product according to the label that would not result in illegal residues. This action is reported to have potential significant implications to the pesticide industry. Since any food found to contain Furadan residues after December 31, 2009 will be subject to the Food and Drug Administration (FDA) quarantine and embargo, agencies would then be obligated to investigate the source of the residue. It is important to understand that a food commodity is defined by US EPA as any product that can be consumed by humans or animals that are used for food. It includes raw ag commodities such as meat, milk, byproducts and pasture, rangeland or other forms of forage that are grazed by meat or milk animals.

Every effort should be made to use all inventory of Furadan in your possession by no later than the end of this year. Any unused Furadan found in a retailer's possession in 2010 or later may result in the issuance of a Stop Sale, Use or Removal Order (SSURO) that requires the product to be disposed of by a commercial waste contractor. For information specific to your state, contact your Department of Agriculture.

New TSA Secure Flight ID Security Rules Begin

Effective May 15, 2009, the Transportation Security Agency (TSA) began implementing its "Secure Flight" passenger identification program by requiring airline passengers to enter their full name exactly as it appears on their passport or government issued identification they will be traveling with -- when making any flight reservations. In the second phase of the Secure Flight program, which begins on August 15, 2009, passengers will also be required to enter their date of birth, gender and watch-list redress number (if it applies) when booking airline flights. Once Secure Flight's advanced technology is fully implemented in early 2010, enhanced watch list matching will be done by the government. TSA's goal is to vet 100 percent of passengers on all domestic commercial flights by early 2010 and 100 percent of passengers on all international commercial flights by the end of 2010.

Underwriters Laboratory (UL) - The Seal of Safety

Look at the back of your computer monitor, the bottom of your table lamp, or the label on your hair dryer. Chances are you will see the symbol "UL" with a circle around it. It stands for Underwriters Laboratories, a firm headquartered in Northbrook, Illinois, and an unsung hero of the market economy.

Most people don't realize that dozens of products in their homes such as toasters, fire extinguishers, space heaters, televisions, etc. have been tested by the Underwriters Lab for safety. The Lab also tests items like bulletproof vests, electric blankets, commercial ice-cream machines, and chicken de-beakers, among thousands of other products.



But the Lab isn't an arm of the government. It is privately owned, financed, and operated. No one is compelled by force of law to use its services. It thrives and makes our lives safer by the power of its excellent reputation. The firm was formed in 1894 to deal with the dangers posed by the dramatic increase in the use of electricity. Today, it employs 4,000 scientists, engineers, and safety specialists to render an independent verdict on hundreds of thousands of products.

"It's the government that operates without oversight." Unlike quality and price, safety isn't always at the forefront of the consumer's mind. But that hasn't kept manufacturers from seeking out the Lab's testing services. For those who appreciate the virtues of private enterprise, the UL insignia is an inspiration.

The Lab was the first to set standards for certifying the safety of pilots and planes even before the government intervened. It set the standards for building materials, fire-fighting equipment, air conditioners, and household chemicals. It employs safecrackers and pyrotechnicians to test safes, and a variety of unique machines and devices to test thousands of other products each year. It has been testing multicolored Christmas lights since 1905, and entered the building-code business right after the San Francisco earthquake of 1906.

Despite its unparalleled experience and success, the market economy keeps the Lab innovating. As engineer **John Drengenberg** of the Lab said, "There's always some little twist in a new product, an innovative feature or something to make it cheaper to keep us busy developing the appropriate test procedure." Its effectiveness in determining safety standards and maintaining them over time has generated an interesting result. Many government regulations, especially at the state level, merely mimic the building codes and insurance requirements of the Lab.

The Lab also "regulates" in a cost-effective way. Companies come to the Lab to present their products and the tests they have already conducted. The company pays a testing fee ranging from a couple of hundred dollars to several thousand, depending on the costs of the tests to be conducted.

If the product passes, it receives one of three designations:

1. To be "listed" means that the product has passed muster for sale as a final product, like a hair dryer.
2. If it is listed as "recognized," it is safe to use as a component within the final product, like a transformer.
3. To be "certified" means that the product has met someone else's standards, such as the Chicago building code.

Nothing is perfectly safe, of course. The competitive marketplace and the Lab aim for safety in a framework of rational attention to costs. UL official Drengenberg has noted, "It would be very easy for us to come up with an overly strict standard," but then no one could afford to buy the product. The Lab notes that 80% of accidents and fires are caused by consumers, not products. It takes this into account in its requirements. In the case of space heaters, for example, the Lab felt that enhanced warning labels would reduce as many fires as an expensive redesign, thus keeping down cost and price.

New legislation would require large, multi-site employers to report work-related deaths, injuries, and illnesses annually. New legislation, introduced by **Congressman Phil Hare** (D-IL), would require large multi-site companies to regularly report to the Department of Labor on workplace safety and health. Under the *Corporate Injury, Illness, and Fatality Reporting Act*, employers with more than one establishment and 500 or more employees would have to accurately report the numbers and rates of work-related deaths, injuries, and illnesses at all of their worksites to the Department of Labor. They would also be required to provide compliance data regarding OSHA inspections and citations that have occurred at any or all of their sites. Reports would be due no less than once every year. Currently, companies are not required to report injuries unless three or more employees are sent to the hospital for a work-related event. This bill would, for the first time, mandate all injuries are reported.

OSHA's Regulatory Plan

OSHA published its semiannual agenda of regulations on May 14, 2009. The agenda consists of regulations that have been selected for review or development. Public comment is invited on the listing.

Pre-Rule

At the pre-rule stage, OSHA plans to focus on some of the following:

- Occupational Exposure to Crystalline Silica
- Occupational Exposure to Beryllium
- Occupational Exposure to Diacetyl and Food Flavorings Containing Diacetyl
- Tree Care Operations
- Combustible Dust
- Occupational Exposure to Hexavalent Chromium; Final Rule Remand

Proposed Rule

At the proposed rule stage, the following regulations will be the primary focus:

- Confined Spaces in Construction
- Electric Power Transmission and Distribution; Electrical Protective Equipment
- Cranes and Derricks in Construction
- General Working Conditions for Shipyard Employment
- Walking Working Surfaces and Personal Fall Protection Systems (Slips, Trips, and Fall Prevention)
- Updating OSHA Standards Based on National Consensus Standards
- Hazard Communication
- Nationally Recognized Testing Laboratories Fee Schedule
- Abbreviated Portacount Machine Quantitative Fit-Testing Protocol
- Illinois State Plan for Public Employees Only

Final Rule

OSHA regulations that are at the final rule stage include:

- Abbreviated Bitrix Qualitative Fit-Testing Protocol

Long-Term Actions

Long-term actions by OSHA that have no determined dates for completion:

- Bloodborne Pathogens
- Hearing Conservation Program for Construction Workers
- Explosives
- Emergency Response and Preparedness

Standards Improvement

- Revision and Update of Standards for Power Presses
- Cooperative Agreements

Most Quotable...

"Government's view of the economy could be summed up in a few short phrases: If it moves, tax it. If it keeps moving, regulate it. And if it stops moving, subsidize it," said former **President Ronald Reagan** in 1986.

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